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8  
9 IN THE UNITED STATES DISTRICT COURT  
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
11 SAN FRANCISCO DIVISION  
12

13 **CHARLES A. MILLER,**

14 Plaintiff,

15 v.

16  
17 **CALIFORNIA DEPARTMENT OF**  
**CORRECTIONS AND**  
18 **REHABILITATION, et al.,**

19 Defendants.  
20

3:16-cv-02431 EMC

**STIPULATED REQUEST TO CLARIFY  
THE COURT'S DOCKET RE:  
DEFENDANT WILLIAMS**

**[~~PROPOSED~~] ORDER**

21 **TO THE HONORABLE JUDGE EDWARD M. CHEN:**

22 The parties met, conferred, agreed, and hereby jointly request that the Court remove Dr. G.  
23 Williams from its docket as an active Defendant.

24 Plaintiff Charles A. Miller filed this action in Monterey County Superior Court and  
25 claimed, in relevant part, that Dr. Williams provided inappropriate care, consultation, and  
26 treatment of Plaintiff's knee condition during a telemedicine appointment on or about July 30,  
27 2015. (ECF No. 1-2 at 8.) Following Defendants' removal of the action to federal court, this  
28 Court screened Plaintiff's complaint and found cognizable against Dr. Williams two claims under


1 the Eighth Amendment for deliberate indifference to Plaintiff's allegedly serious medical needs  
2 for (1) a total-knee replacement surgery and (2) adequate pain medication. (ECF No. 30 at 4-5.)

3 On January 24, 2018, the Court granted in part Defendants' summary-judgment motion.  
4 (ECF No. 134.) The Court found "no reasonable jury could find in favor of [Plaintiff's] claim  
5 that Dr. Williams acted with deliberate indifference to his serious medical needs" with respect to  
6 his allegedly inappropriate handling of Plaintiff's request for total-knee-replacement surgery. (*Id.*  
7 at 24-25.) The Court further found that Dr. Williams was entitled to qualified immunity for  
8 Plaintiff's total-knee-replacement claim, and also that all Defendants were entitled to qualified  
9 immunity for Plaintiff's pain-medication claims under the Eighth Amendment. (*Id.* at 31-32, 36.)  
10 *AMC 6/15/18*

11 The parties thus agree that Plaintiff maintains no active claims against Dr. Williams and Dr.  
12 Williams should be removed from the Court's docket as an active Defendant.

13 Dated: June 12<sup>th</sup>, 2018

Respectfully submitted,

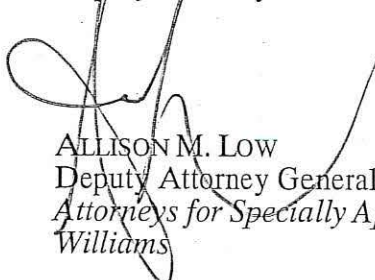
*only as modified*  


CHARLES A. MILLER  
Plaintiff in Pro Se

18 Dated: June 16 2018

Respectfully submitted,

XAVIER BECERRA  
Attorney General of California  
WILLIAM C. KWONG  
Supervising Deputy Attorney General  
ANNE E. WADDELL  
Deputy Attorney General

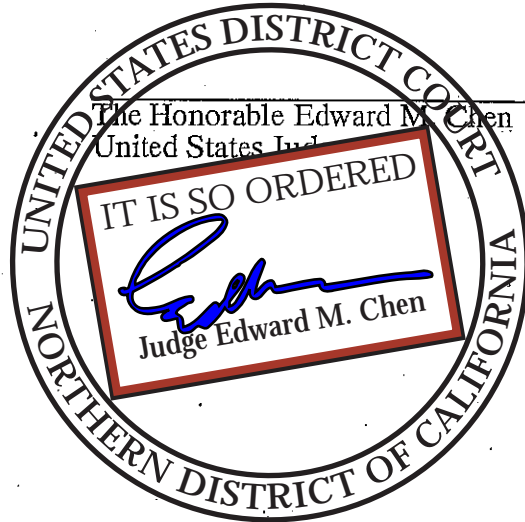
  
ALLISON M. LOW  
Deputy Attorney General  
Attorneys for Specially Appearing Defendant  
Williams

1 **[PROPOSED] ORDER**

2 Pursuant to stipulation, IT IS SO ORDERED. The Court's clerk shall update the Court's  
3 docket to reflect that Defendant G. Williams was terminated from this action on January 24,  
4 2018, the date that the Court partially granted Defendants' summary-judgment motion.

5  
6 Dated: 6/22/2018

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## CERTIFICATE OF SERVICE

Case Name: Charles A. Miller v. CDCR, et al. Case No. 3:16-cv-02431 EMC

I hereby certify that on June 18, 2018, I electronically filed the following documents with the Clerk of the Court by using the CM/ECF system:

**STIPULATED REQUEST TO CLARIFY THE COURT'S DOCKET RE: DEFENDANT  
WILLIAMS; [PROPOSED] ORDER**

I certify that **all** participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on June 18, 2018, at San Francisco, California.

\_\_\_\_\_  
G. Pang  
Declarant

\_\_\_\_\_  
/s/ G. Pang  
Signature

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